

**AUGUST 4, 2008**  
**MINUTES OF REGULAR CITY COUNCIL MEETING**  
**PARMA CITY HALL COUNCIL CHAMBERS**  
**7:00 PM**

The Regular Council Meeting was called to order by President of Council Charles M. Germana, presiding.

COUNCIL MEMBERS PRESENT:     BRIAN DAY  
   MARY GALINAS  
   ROY J. JECH  
   KENNETH A. RAMSER  
   LARRY NAPOLI  
   TOM REGAS  
   SCOTT TUMA  
   NICHOLAS CELEBREZZE

COUNCIL MEMBER ABSENT:     SEAN BRENNAN

Mrs. Young - Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present.

The following officials and department heads were also present: Mayor Dean DePiero, Chief Assistant Law Director Tim Miller, Treasurer Anthony Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Recreation Director Mickey Vittardi, Community Development Director Erik Tollerup, Mayor's Chief of Staff Meghann McCall, Senior Citizen Director Jo Ann Mason, and Deputy Clerk I Linda Young.

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**LEGISLATIVE COMMENT**

Council President Charles Germana asked if there were any questions or comments regarding the pieces of legislation Council would be taking final action on tonight. No one wished to comment.

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**INVOCATION**

The Invocation was given by Council President Charles M. Germana.

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**PLEDGE ALLEGIANCE TO THE AMERICAN FLAG**

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**RESOLUTIONS/PROCLAMATIONS**

**RESOLUTION NO. 218-08**

L-218-08

By: Brian Day and the rest of Council

A RESOLUTION HONORING GARRETT STEVEN BAER ON ATTAINING THE RANK OF  
EAGLE SCOUT

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 218-08.  
Motion carried.

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**RESOLUTION NO. 229-08**

L-229-08

By: Larry Napoli and the rest of Council

**A RESOLUTION HONORING MICHAEL J. MCGINTY, CITIZEN OF THE MONTH – JULY, 2008**

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 229-08.  
Motion carried.

Mr. McGinty was asked to come forward to accept the Resolution from Council and the Mayor and to accept the Key to the City. Mr. McGinty gave a wonderful acceptance speech. He introduced his friends, family, and members of the Hospital Board.

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**DISPOSAL OF THE JOURNAL**

Mr. Germana – Stated that we have the Minutes of the Regular Council Meeting of June 30, 2008, Special Council Meeting of July 10, 2008, and the Minutes of the Budget Hearing of June 30, 2008. Are there any additions or corrections to these Minutes? Hearing none, the Minutes shall stand approved as printed.

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**AMENDMENT TO THE CALENDAR**

Motion made by Councilman Jech, seconded by Councilman Day to amend the calendar by switching Ordinance No. 227-08 from First Reading to Suspension of the Rules. Motion carried.

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**COMMUNICATIONS, PETITIONS, AND CLAIMS**

Communications were received from the applicant, Joe Caco, and the Building Commissioner requesting a second 6 month extension to the variance granted to him on September 10, 2007.

Councilman Celebrezze made a motion, to wit: A front yard line exception variance was granted to Mr. Joe Caco for 8321 Pelham Drive for PPN 448-10-04 on September 10, 2007. At this time I am making a motion to grant to extend the variance for the second time. This extension will expire on March 10, 2009. Motion seconded by Councilwoman Galinas. Motion carried.

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Proposal to vary for the Applicant, Terry Wilson, Glenwood Homes, for Permanent Parcel Nos. 443-08-017 – Parcels J and K. This is an Area variance of Section 1187.01(a) – Area Regulations – Area Districts Classification. The proposal is to build 2 new single family dwellings on lots with sanitary sewers at W. 54<sup>th</sup> and Gerald. Minimum lot size is 7,800 sq. ft. (60' wide x 130' deep). The proposal is for lots 4,947 sq. ft. (43' wide x 115.10'deep), a variance of 2.853 feet less area, 17' width and 14.9' deep for two lots in SF B1 zoning. Since the property is not owned by the applicant, he would not suffer hardship and by not granting the variance the character will not be substantially altered. The Board of Zoning Appeals recommended that this area variance be DENIED.

Mr. Germana – Said variance shall be referred to the Planning Committee.

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Proposal to vary for the Applicant, Timothy Boyko for 7386 Ridge Road. Permanent Parcel No. 455-19-005. This is an Area variance of Section 1197.05(22) – Off Street Parking & Loading Facilities – Schedule of Required Parking. The proposal is to build a medical/office building. Minimum number of parking spaces required for this office site is 110 spaces. The proposal is for 104 parking spaces. This would result in 6 less parking spaces than Code requires. The Board of Zoning Appeals recommended that this area variance be GRANTED with the stipulation that that the variance would be amended from 6 to 33 which will allow the applicant, if needed, to provide the additional 33 spaces at a later date.

Mr. Germana – Said variance shall be referred to the Planning Committee.

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Proposal to vary for the Applicant, Joseph Mitchell for 2430 Lincoln Avenue. Permanent Parcel No. 444-13-047. This is an Area variance of Section 1153.03(a) – Single Family House Districts –

Accessory Uses and Buildings – Private Garages and Parking Areas. The proposal is to build a new garage larger than Code permits. Maximum size is 800 sq. ft. The proposed garage is 864 sq. ft. This would result in 64 sq. ft. more. The Board of Zoning Appeals recommended that this area variance be GRANTED with the stipulation that no other outbuilding will be allowed on the property and no business be done from the garage.

Mr. Germana – Said variance shall be referred to the Planning Committee.

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Proposal to vary for the applicant Shawn Jurisch, Brad Goldberg or Jeff Deeds, Visconsi Companies, Ltd, for Walgreens at 1415 Rockside Road. Permanent Parcel Nos. are 445-16-005, 009, 010, 014, 015, and 017. This is an Area variance of Section 1199.06 (c) – Screening and Buffering – Landscaped Buffer Areas for Rear and Side Yards – Minimum Width. The proposal is to build a new Walgreens store with landscaped buffer less in width than Code requires. A minimum 12 foot wide landscape buffer is required for rear and side yards adjacent to residential for site of 90,000 sq. ft. The proposal is for an eight foot wide buffer. It would result in 4 feet less side and rear landscape buffer. The Board of Zoning Appeals recommended that this area variance be GRANTED. Mr. Germana – Said variance shall be referred to the Planning Committee.

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Proposal to vary for the Applicant Neff & Associates for 7181 W. 130<sup>th</sup> Street. Permanent Parcel No. 457-01-001. The proposal is to build a new mini-storage facility.

1. This is an Area variance of Section 1199.06(c) – Screening and Buffering – Landscaped Buffer Areas for Rear and Side Yards – Minimum Width. The proposal is to have 0% landscaped buffer next to residential when Code requires 16 feet.
2. This is an Area variance of Section 1170.06 – Commercial/Office Districts – Schedule of Lot Area, Width, and Coverage Regulations. The proposal is for 41% lot coverage when Code requires 25%. This would result in 16% more lot coverage than permitted.
3. This is an Area variance of Section 1197.05(41) – Off Street Parking & Loading Facilities – Schedule of Required Parking. The proposal is for 3 parking spaces when Code requires a minimum of 5 spaces for this site.
4. This is an Area variance of Section 1170.08 – Commercial/Office Districts – Schedule of Yard and Height Regulations. The proposal is for a 56 foot front setback and a 24 foot side setback when Code requires 100 foot front setback and 50 foot side setback.

The Board of Zoning Appeals recommended that these area variances be GRANTED with the stipulation in the letter of Ward Seven Councilperson Ken Ramser, dated January 26, 2006, that items 1 through 8 would be adhered to.

Mr. Germana – Said variance shall be referred to the Planning Committee.

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**Motion made by Councilman Celebrezze, seconded by Councilman Jech to temporarily recess the Council Meeting in order to hold a Special Planning Committee meeting to discuss the above variances. Motion carried. Upon completion of the meeting, Council resumed.**

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Councilman Celebrezze: The Planning Committee of Council met on August 4, 2008, to discuss the proposal to vary for the Applicant Terry Wilson, Glenwood Homes, for Permanent Parcel Nos. 443-08-017 – Parcels J and K.

This is an Area variance of Section 1187.01(a) – Area Regulations – Area Districts Classification. The proposal is to build 2 new single family dwellings on lots with sanitary sewers at W. 54<sup>th</sup> and Gerald. Minimum lot size is 7,800 sq. ft. (60' wide x 130' deep). The proposal is for lots 4,947 sq. ft. (43' wide x 115.10'deep), a variance of 2.853 feet less area, 17' width and 14.9' deep for two lots in SF B1 zoning. Since the property is not owned by the applicant, he would not suffer hardship and by not granting the variance the character will not be substantially altered. The Board of Zoning Appeals recommended that this area variance be DENIED. The Planning Committee, after discussion, moved that we Grant this variance.

Motion made by Councilman Celebrezze, seconded by Councilman Jech to grant the variance. Motion carried.

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Councilman Celebrezze - The Planning Committee of Council met on August 4, 2008, to discuss the variance for the applicant Timothy Boyko for 7386 Ridge Road. Permanent Parcel No. 455-19-005.

This is an Area variance of Section 1197.05(22) – Off Street Parking & Loading Facilities – Schedule of Required Parking. The proposal is to build a medical/office building. Minimum number of parking spaces required for this office site is 110 spaces. The proposal is for 104 parking spaces. This would result in 6 less parking spaces than Code requires.

The Board of Zoning Appeals recommended that this area variance be GRANTED with the stipulation that the variance would be amended from 6 to 33 which will allow the applicant, if needed, to provide the additional 33 spaces at a later date. The Planning Committee, after discussion, moved that we grant this variance.

Motion made by Councilman Celebrezze, seconded by Councilman Jech to grant the variance with the stipulation. Motion carried.

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Councilman Celebrezze - The Planning Committee of Council met on August 4, 2008, to discuss the variance for the applicant Joseph Mitchell for 2430 Lincoln Avenue. Permanent Parcel No. 444-13-047. This is an Area variance of Section 1153.03(a) – Single Family House Districts – Accessory Uses and Buildings – Private Garages and Parking Areas. The proposal is to build a new garage larger than Code permits. Maximum size is 800 sq. ft. The proposed garage is 864 sq. ft. This would result in 64 sq. ft. more. The Board of Zoning Appeals recommended that this area variance be GRANTED with the stipulation that no other outbuilding will be allowed on the property and no business be done from the garage. The Planning Committee, after discussion, moved that we grant this variance.

Motion made by Councilman Celebrezze, seconded by Councilman Jech to grant the variance with the stipulations. Motion carried.

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Councilman Celebrezze - The Planning Committee of Council met on August 4, 2008, to discuss the variance for the applicant, Shawn Jurisch, Brad Goldberg or Jeff Deeds, Visconsi Companies, Ltd, for Walgreens at 1415 Rockside Road. Permanent Parcel Nos. are 445-16-005, 009, 010, 014, 015, and 017. This is an Area variance of Section 1199.06 (c) – Screening and Buffering – Landscaped Buffer Areas for Rear and Side Yards – Minimum Width. The proposal is to build a new Walgreens store with landscaped buffer less in width than Code requires. A minimum 12 foot wide landscape buffer is required for rear and side yards adjacent to residential for site of 90,000 sq. ft. The proposal is for an eight foot wide buffer. It would result in 4 feet less side and rear landscape buffer. The Board of Zoning Appeals recommended that this area variance be GRANTED.

Motion made by Councilman Celebrezze, seconded by Councilman Jech to grant the variance. Motion carried.

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Councilman Celebrezze - The Planning Committee of Council met on August 4, 2008, to discuss the variances for the applicant, Neff & Associates for 7181 W. 130<sup>th</sup> Street. Permanent Parcel No. 457-01-001. The proposal is to build a new mini-storage facility.

5. This is an Area variance of Section 1199.06(c) – Screening and Buffering – Landscaped Buffer Areas for Rear and Side Yards – Minimum Width. The proposal is to have 0% landscaped buffer next to residential when Code requires 16 feet.
6. This is an Area variance of Section 1170.06 – Commercial/Office Districts – Schedule of Lot Area, Width, and Coverage Regulations. The proposal is for 41% lot coverage when Code requires 25%. This would result in 16% more lot coverage than permitted.
7. This is an Area variance of Section 1197.05(41) – Off Street Parking & Loading Facilities – Schedule of Required Parking. The proposal is for 3 parking spaces when Code requires a minimum of 5 spaces for this site.
8. This is an Area variance of Section 1170.08 – Commercial/Office Districts – Schedule of Yard and Height Regulations. The proposal is for a 56 foot front setback and a 24 foot side setback when Code requires 100 foot front setback and 50 foot side setback.

The Board of Zoning Appeals recommended that these area variances be GRANTED with the stipulation in the letter of Ward Seven Councilperson Ken Ramser, dated January 26, 2006, that items 1 through 8 would be adhered to. The Planning Committee, after discussion, moved that we grant these variances.

Motion made by Councilman Celebrezze, seconded by Councilman Jech to grant the variances with the stipulation. Motion carried.

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Communication received from State Senator Dale Miller regarding his support of the Great Lakes Compact and the Economic Stimulus Bill.

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Communication received from State Senator Dale Miller regarding Council's Resolution No. 188-08 and his support of the Clean Ohio program.

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Communication received from Congressman Tim Ryan supporting Council's Resolution No. 128-08 regarding the Great Lakes Compact.

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Notice to legislative authorities from the Ohio Division of Liquor Control for a transfer of a C1 and C2 license from RHE Enterprises, Inc. dba 7-Eleven Food Store #682, 11690 Snow Road, Parma, Ohio, 44130 to Saini Petroleum, Inc. of the same address.  
Mr. Germana – Said liquor permit shall be referred to the Safety Director and Ward Council.

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Notice to legislative authorities from the Ohio Division of Liquor Control for a new C1 and C2 license for Gradiska, Inc., 4805 Pleasant Valley Rd, 1<sup>st</sup> Floor, Unit B, Parma, Ohio 44129.  
Mr. Germana – Said liquor permit shall be referred to the Safety Director and Ward Council.

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Notice to legislative authorities from the Ohio Division of Liquor Control for a transfer of a D5 and D6 license from Outback/Cleveland I, Limited Partnership dba Outback Steakhouse, 6950 Ridge Road, Parma, Ohio, 44129 to Outback Steakhouse of Florida LLC dba Outback Steakhouse of the same address.  
Mr. Germana – Said liquor permit shall be referred to the Safety Director and Ward Council.

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Notice to legislative authorities from the Ohio Department of Commerce notifying you that all permits to sell alcoholic beverages in Parma will expire on October 1, 2008. Each establishment must file a renewal application. If there are any locations that you object to having a liquor license, now is the time to object and request a hearing.  
Mr. Germana – Said notice is available at the Council Office.

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**FIRST READING:**

**ORDINANCE NO. 202-08**      8/4/08      L-202-08

By: S. Brennan

AN ORDINANCE TO ENACT SECTION 642.08 "VANDALISM OF PUBLIC AND PRIVATE PROPERTY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Ordinance No. 202-08 shall be referred to the Public Safety Committee.

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**ORDINANCE NO. 224-08**      8/4/08      L-224-08

By: M. Galinas

(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT BY AND BETWEEN LARRY JORDONEK AND THE CITY OF PARMA FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS PERMANENT PARCEL NUMBERS 443-22-034 AND 443-22-035, 6728 VELMA AVENUE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Ordinance No. 224-08 shall be referred to the Finance Committee.

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**RESOLUTION NO. 225-08** 8/4/08

L-225-08

By: S. Brennan

(By Request – Community Services & Economic Development Director)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 443-06-012, 5721 RIDGE ROAD, PARMA, OHIO, AND DECLARING AN EMERGENCY

Mr. Germana – Resolution No. 225-08 shall be referred to the Public Safety Committee.

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**RESOLUTION NO. 226-08** 8/4/08

L-226-08

By: S. Brennan

(By Request – Community Services & Economic Development Director)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 443-11-040, 6802 ORCHARD AVENUE, PARMA, OHIO AND DECLARING AN EMERGENCY

Mr. Germana – Resolution No. 226-08 shall be referred to the Public Safety Committee.

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**ORDINANCE NO. 231-08** 8/4/08

L-231-08

By: B. Day

AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBERS 445-16-005, 445-16-014, AND 445-16-017, FROM OFFICE BUILDING B-1 AND SINGLE-FAMILY B-1 TO RETAIL BUSINESS C-1 LOCATED ON BROADVIEW ROAD, IN THE CITY OF PARMA

Mr. Germana – Ordinance No. 231-08 shall be referred to the Planning Committee and Planning Commission.

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**ORDINANCE NO. 235-08** 8/4/08

L-235-08

By: S. Tuma

(By Request – Law Director)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS AND PLACES IN THE CITY OF PARMA, OHIO, BY PROVIDING STREET LIGHTING AND DECLARING AN EMERGENCY

Mr. Germana – Ordinance No. 235-08 shall be referred to the Finance Committee.

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**ORDINANCE NO. 242-08** 8/4/08

L-242-08

By: S. Tuma

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$5,800,000 CITY OF PARMA, OHIO, HEALTHCARE FACILITIES REVENUE BONDS, SERIES 2008 (CATHOLIC CHARITIES FACILITIES CORPORATION), FOR THE PURPOSE OF PAYING COSTS OF CERTAIN HEALTHCARE FACILITIES OF CATHOLIC CHARITIES FACILITIES CORPORATION AT PARMADALE; AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

Mr. Germana – Ordinance No. 242-08 shall be referred to the Finance Committee.

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**SECOND READING:**

**ORDINANCE NO. 203-08**      6/30/08      L-203-08

By: S. Brennan  
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF, AND IMPROVEMENT TO, DESIGNATED COMMERCIAL STREETSCAPES IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Jech to refer Ordinance No. 203-08 back to the Finance Committee. Motion carried.

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**ORDINANCE NO. 204-08**      6/30/08      L-204-08

By: S. Brennan  
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE 2008 CITY OF PARMA PUBLIC SIDEWALK, CURB, AND CATCH BASIN REPLACEMENT PROGRAM IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Jech to refer Ordinance No. 204-08 back to the Finance Committee. Motion carried.

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**SECOND READING SUSPENSION:**

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 201-08, Ordinance No. 206-08, and Ordinance No. 222-08 on three different days be dispensed with?

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried.

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**ORDINANCE NO. 201-08**      6/30/08      L-201-08

By: M. Galinas, B. Day, R.J. Jech, L. Napoli, K. Ramser, T. Regas, S. Tuma, N. Celebrezze  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR 2008 JUSTICE CENTER TECHNOLOGY PROGRAM FOR THE PARMA JUSTICE CENTER AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Jech to amend Ordinance No. 201-08 by inserting in the blank in Section 1 to read "\$51,449.58".

Motion made by Councilman Jech, seconded by Councilman Day to adopt amended Ordinance No. 201-08.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Amended Ordinance No. 201-08 is adopted.

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**ORDINANCE NO. 206-08** 6/30/08 L-206-08

By: M. Galinas, B. Day, R.J. Jech, L. Napoli, K. Ramser, T. Regas, S. Tuma, N. Celebrezze  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH CLEVELAND COMMUNICATIONS, INC. FOR THE PURCHASE OF RADIO EQUIPMENT AND INSTALLATION IN 2008 POLICE VEHICLES AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 206-08.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Ordinance No. 206-08 is adopted.

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**ORDINANCE NO. 222-08** 7/10/08 L-222-08

By: S. Tuma  
(By Request – Clerk of Court)

(Spec. Mtg.)

AN ORDINANCE AUTHORIZING THE CLERK OF COURT TO ENTER INTO A CONTRACT WITH PITNEY BOWES FOR THE LEASE OF A INTEGRATED ELECTRONIC MAILING SYSTEM FOR THE PARMA MUNICIPAL COURT AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 222-08 back to the Finance Committee. Motion carried.

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**THIRD READING:**

**ORDINANCE NO. 309-07** 10/15/07 L-308-07

By: B. Day

AN ORDINANCE TO AMEND A PORTION OF SECTION 1170.15 “PERFORMANCE STANDARDS FOR CERTAIN USES” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 309-07.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Ordinance No. 309-07 is adopted.

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**ORDINANCE NO. 142-08** 6/6/08 L-142-08

By: M. Galinas  
(By Request – City Engineer/Building Commissioner)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY MANHOLE REHABILITATION ON AARON DRIVE, ABRAHAM AVENUE, DEBORAH DRIVE, RICHARD DRIVE, GABRIELLA DRIVE, SHARON DRIVE, NATHAN DRIVE, NAOMI DRIVE, MAGDALA DRIVE AND CHEVROLET BLVD. IN THE CITY OF PARMA AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to amend Ordinance No. 142-08 by inserting in the blanks in Section 1 “United Survey” at the bid price of “\$134,598.00”. In Section 3 the Fund number should be “405-405 Capital Improvements, Account No. 62110-00000 Professional Services”.

Motion made by Councilman Jech, seconded by Councilman Day to adopt amended Ordinance No. 142-08.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Amended Ordinance No. 142-08 is adopted.



By: M. Galinas

AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBER 443-22-032 FROM  
SINGLE-FAMILY B-1 HOUSE DISTRICT TO RETAIL BUSINESS D-2 DISTRICT  
LOCATED ON LUELDA ROAD IN THE CITY OF PARMA

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 149-08.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Ordinance No. 149-08 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 223-08, Ordinance No. 227-08, Resolution No. 228-08, Ordinance No. 230-08, Ordinance No. 232-08, Ordinance No. 233-08, Resolution No. 234-08, and Resolution No. 237-08 on three different days be dispensed with?

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried.

Mr. Germana - Shall Rule 44 requiring reference to committee be dispensed with and Ordinance No. 223-08, Ordinance No. 227-08, Resolution No. 228-08, Ordinance No. 230-08, Ordinance No. 232-08, Ordinance No. 233-08, Resolution No. 234-08, and Resolution No. 237-08 be placed on final passage?

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried.

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**ORDINANCE NO. 223-08**

8/4/08

L-223-08

By: M. Galinas, B. Day, R.J. Jech, L. Napoli, K. Ramser, T. Regas, S. Tuma, N. Celebrezze  
(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO. 187-08  
RELATIVE TO THE AMOUNT FOR A CONTRACT WITH CROSS-ROADS ASPHALT  
RECYCLING, INC. FOR THE EMERGENCY STREET REPAIR TO WEST 130<sup>TH</sup> STREET  
IN THE CITY OF PARMA AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No 223-08.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Ordinance No. 223-08 is adopted.

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**ORDINANCE NO. 227-08**

8/4/08

L-227-08

By: M. Galinas, T. Regas, L. Napoli  
(By Request – Mayor and Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FOX  
TELEVISION STATIONS, INC. ON BEHALF OF ITS STATION WJW, FOR USAGE OF SPACE ON  
THEIR TOWER FOR PARMA SAFETY FORCES RADIO COMMUNICATIONS, AND DECLARING  
AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No 227-08.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.

No: None; Motion carried. Ordinance No. 227-08 is adopted.

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**RESOLUTION NO. 228-08** 8/4/08

L-228-08

By: T. Regas, B. Day, M. Galinas, R.J. Jech, L. Napoli, K. Ramser, S. Tuma, N. Celebrezze  
(By Request – Service Director)

A RESOLUTION AUTHORIZING THE AUDITOR TO ACCEPT THE DONATION OF CURRENT SICK LEAVE ACCUMULATION INTO THE SICK LEAVE ACCOUNT OF LABORER KEN GILLISSIE IN ORDER TO CONTINUE HIS PAYROLL WHILE HE IS OFF WORK DUE TO A PERSONAL INJURY AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No 228-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Resolution No. 228-08 is adopted.

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**ORDINANCE NO. 230-08** 8/4/08

L-230-08

By: S. Tuma, N. Celebrezze  
(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 185.05 “FEES OF THE DIRECTOR OF PUBLIC SERVICE” RELATIVE TO THE FEES FOR MICHAEL A. RIES ICE SKATING RINK OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No 230-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Ordinance No. 230-08 is adopted.

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**ORDINANCE NO. 232-08** 8/4/08

L-232-08

By: S. Tuma  
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2008 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No 232-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Ordinance No. 232-08 is adopted.

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**ORDINANCE NO. 233-08** 8/4/08

L-233-08

By: S. Tuma  
(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2008 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No 233-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Ordinance No. 233-08 is adopted.

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**RESOLUTION NO. 234-08** 8/4/08

L-234-08

By: S. Tuma  
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR’S POST CERTIFICATION OF REQUISITIONS AS DETAILED IN EXHIBIT “A” AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No 234-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Resolution No. 234-08 is adopted.

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**RESOLUTION NO. 237-08**    8/4/08    L-237-08

By: L. Napoli, B. Day, R.J. Jech, M. Galinas, K. Ramser, T. Regas, S. Tuma, N. Celebrezze

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY  
NUISANCE ABATEMENT F PERMANENT PARCEL NUMBER 453-40-024, 1853 JACQUELINE  
DRIVE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No 237-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Resolution No. 237-08 is adopted.

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**TABLE:**

**RESOLUTION NO. 62-05**    3/7/05    L-46-05

By: S. Brennan  
(By Request – Mayor and Treasurer)

A RESOLUTION TO ADOPT A UNIFORM DISCIPLINARY POLICY FOR ALL CITY EMPLOYEES  
AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to table Resolution No. 62-05.  
Motion carried.  
Motion made by Councilman Day, seconded by Councilwoman Galinas to reconsider Resolution No.  
62-05. Motion failed. Resolution No. 62-05 is tabled.

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**RECONSIDERATION:**

**ORDINANCE NO. 183-08**    6/2/08    L-183-08

By: B. Day    *Adopted 6/30/08*    (As Amended)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN  
AGREEMENT WITH THE HIGHEST AND BEST BIDDER(S) FOR THE SALE OF CITY-OWNED  
REAL PROPERTY LOCATED ON SOUTH PARK BOULEVARD, NEAR THE INTERSECTION OF  
SOUTH PARK BOULEVARD AND LUCERNE AVENUE IN THE CITY OF PARMA, AND KNOWN  
AS PERMANENT PARCEL NUMBER 444-27-018 AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to reconsider Ordinance No. 183-08. Motion carried.  
Motion made by Councilman Tuma, seconded by Councilman Day to amend reconsidered Ordinance No. 183-08 by Exhibit "A". Motion carried.  
Motion made by Councilman Jech, seconded by Councilman Day to adopt amended reconsidered Ordinance No. 183-08.  
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Celebrezze.  
No: None; Motion carried. Amended Ordinance No. 183-08 is adopted.

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Mr. Germana – Stated that there will be a quick meeting on August 18<sup>th</sup>. He will be out of town. Special meeting on August 18<sup>th</sup> for a few pieces of legislation that cannot wait until the next regular meeting. The next meeting will be on September 8<sup>th</sup> and then they will be on the regular routines. The first and third will be council meetings, the second and fourth will be committee meetings.

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### **PUBLIC COMMENT**

Mr. Dennis Kamp, Sarasota Drive - Commented on Ordinance No. 264-07. Wanted to know when the sewers were going to go in. He has been before Council many times over the past several years. He stated that there is a problem on Sarasota Drive. Five million dollars of our money that needs to be followed by the Administration, City Engineer, not just the County Engineer. The County Engineer comes in and video tapes the problem, power cleans the lines and re-video tapes. So in a few years we will have miles of video tapes of the clean and dirty lines. The problem is not the cleanliness of the lines, the problem is two things – we don't have enough lines to carry the water which costs money, and the diameter of the lines that are presently carrying the water are too small. If the County Engineer cleans the lines and comes back in three years, we will lose. It is a losing proposition. He feels that Council needs to follow vigorously where the \$400,000 a month for whatever, is going.

Martin Drabek, 7696 Cecelia Drive – Just wanted to follow up on the sewers. We know where the problems are. We contracted with the County and why are they not fixing them? They are going to look for problems when we know where the problems are. He would sure take care of what is known to be wrong first.

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### **MISCELLANEOUS COMMENTS**

Service Director Higgins – He stated that we have had a number of meetings of why we are bringing the sanitary engineer into the city and what we haven't been doing and what could possibly happen to us if we don't proceed and get some work done around here. Part of that component of the assessment is going to include capital improvements. So we are not just cleaning and televising and cleaning and televising. We are going to identify problems and fix them before they cost us more money. We all know when you are reactive it costs more. We have identified problems. We aren't going to start paying the County until 2009. They have been gracious enough to work with us as a partnership; this is not the County taking over the City of Parma sewer system. We will be working together with them. We will give them direction as we feel we need things done. If we see things that they are not aware of, we will bring it to their attention. Once they put together a maintenance plan, they will ultimately find things and hopefully we will repair them before they cost too much. Once a street falls in and you get the cost of fixing it, it would be more expensive than if you found it and planned for it. We are moving forward. Council has to be given credit for stepping up to the plate and addressing this. They will be addressing us in September and we will go forward in a positive fashion together, a partnership.

Mr. Germana – Stated that adding Parma to the sanitary engineer is not something that would be done overnight. We have to gear up for it. There are 30 more communities they are involved in and they are gearing up. We know there are 20-30 years of problems. We will try to get to them, but at least we are making the effort to do that. We brought it up, the Mayor's responded. We are going to have regular reports and we do have samples of the itemizations that the County gives for every dollar that is spent, there is an invoice and an accounting of the work done. It is public record. Everyone can see it. We are not hiding anything. They are in the gearing up stage. There have some things done and we will have a report on it in September.

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### **REPORT ON ABSENT MEMBERS**

Motion made by Councilman Day, seconded by Councilwoman Galinas to excuse Council Member Sean Brennan. Motion carried.

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### **ADJOURNMENT**

Motion made by Councilman Jech, seconded by Councilman Celebrezze to adjourn said Council Meeting at 8:50 PM. Motion carried.

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### **CERTIFICATION**

I, Tom Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes of the Regular Council Meeting held on Monday, August 4, 2008.

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TOM MASTROIANNI  
CLERK OF COUNCIL

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CHARLES M. GERMANA  
PRESIDENT OF COUNCIL

Minutes were completed on 9/4/08 lly